UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

JOHN POPOFF,

Petitioner.

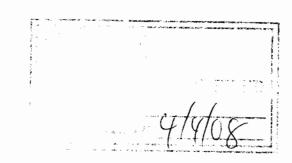
- against -

MICHAEL CHERTOFF, Secretary of the United States Department of Homeland Security; MICHAEL B. MUKASEY, Attorney General of the United States, U.S. Department of Justice; EMILIO T. GONZALEZ, Director of the United States Citizenship and Immigration Services; UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES: ROBERT S. MUELLER, Director, Federal Bureau of Investigation: FEDERAL BUREAU OF INVESTIGATION,

Respondents.

Docket No. 08 Civ. 2385 (JES) A76-111-217

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE



IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel

for the parties, that the above-captioned action is dismissed with prejudice and without costs or attorney's fees to any party.

New York, New York March 31, 2008

BARST & MUKAMAL, LLP Attorneys for Petitioner

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SO ORDERED:

United States District Judge

New York, New York March 1, 2008 April

> MICHAEL J. GARCIA United States Attorney for the Southern District of New York Attorney for Respondent

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